

**A REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, November 5, 2013, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Jeffrey Clark and Jaymes Lester.

The following Staff members were in attendance: Alisa Bentley, Julie Donoghue, Deputy Attorney General, Janis Dillard, Robert Howatt, Kathleen Makowski, Deputy Attorney General and Octavia Woodard.

2. Commissioner Clark motioned to approve the meeting minutes from the October 22, 2013 meeting; seconded by Commissioner Lester; the motion carried unanimously.

Commissioner Conaway motioned to approve the Executive Session minutes from the October 22, 2013 meeting; seconded by Commissioner Lester; the motion carried unanimously.

3. CONSENT AGENDA ITEMS:

Commissioner Conway moved to adopt the following Consent Agenda items.

- a. IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (“PRETTYMAN PROPERTY 2”) (FILED SEPTEMBER 30, 2013) – PSC DOCKET NO. 13-CPCN-09

Commission to consider Application, Staff Memorandum, and proposed Order No. 8478.

- b. IN THE MATTER OF THE NOTICE OF POTENTIAL VIOLATION OF 26 *DEL. ADMIN. C.* §8001 AND ASSOCIATED CIVIL PENALTIES ASSESSED TO PETROLEUM EQUIPMENT, INC. (OPENED AUGUST 8, 2013) – PSC DOCKET NO. 391-13

Commission to consider Consent Agreement and proposed Order No. 8480.

- c. IN THE MATTER OF THE INVESTIGATION INTO THE SOLICITATION PRACTICES OF STARION ENERGY PA, INC. (OPENED OCTOBER 24, 2013) – PSC DOCKET NO. 395-13

Commission to consider proposed Order No. 8477.

Commissioner Clark seconded the motion; the motion carried unanimously.

4. REGULAR AGENDA ITEMS:

- a. IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL OF NATURAL GAS EXPANSION SERVICE OFFERINGS (FILED JUNE 25, 2012) – PSC DOCKET NO. 12-292
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James McC Geddes, Esquire, and Jason Smith appeared on behalf of Staff.

Regina Iorii, Esquire, and Andrea Maucher appeared on behalf of the Division of the Public Advocate.

Bill Denman, Esquire, and Jeffrey Tietbohl appeared on behalf of Chesapeake Utilities Company.

Thomas Noyes appeared on behalf of the Department of Natural Resources and Environmental Control.

David Stevenson appeared on behalf of the Caesar Rodney Institute.

Todd Coomes appeared on behalf of the Delaware Association of Alternative Energy Providers.

Pam Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Clark and seconded by Commissioner Conaway to adopt Order No. 8479; the motion carried unanimously.

A verbatim transcript was made of the proceeding.

- b. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR A CHANGE IN NATURAL GAS BASE RATES AND MISCELLANEOUS TARIFF CHANGES (FILED DECEMBER 7, 2012) – PSC DOCKET NO. 12-546
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James McC Geddes, Esquire, appeared on behalf of Staff.

Regina Iorii, Esquire, and David Bonar appeared on behalf of the Division of the Public Advocate.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Conaway and seconded by Commissioner Lester to adopt Order No. 8465; the motion carried unanimously.

A verbatim transcript was made of the proceeding.

- c. IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN INCREASE IN ELECTRIC BASE RATES AND MISCELLANEOUS TARIFF CHANGES (FILED MARCH 22, 2013) – PSC DOCKET NO. 13-115
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James McC Geddes, Esquire, and Amy Woodward appeared on behalf of Staff.

Regina Iorii, Esquire, and David Bonar appeared on behalf of the Division of the Public Advocate.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Lester and seconded by Commissioner Clark to adopt Order No. 8475; the motion carried unanimously.

A verbatim transcript was made of the proceeding.

- d. IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION FOR APPROVAL OF CHANGES TO THE TRANSPORTATION AND BALANCING RIDER AND THE GAS SUPPLIER SCHEDULE OF ITS TARIFF (FILED OCTOBER 1, 2013) - PSC DOCKET NO. 13-383
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Julie Donoghue, Deputy Attorney General, and Jason Smith appeared on behalf of Staff.

Regina Iorii, Esquire, and David Bonar appeared on behalf of the Division of the Public Advocate.

William Denman, Esquire, appeared on behalf of Chesapeake Utilities Company.

A motion was made by Commissioner Conaway and seconded by Commissioner Lester to adopt Order No. 8481; the motion carried unanimously.

A verbatim transcript was made of the proceeding.

5. DIRECTOR'S COMMENTS:

Robert Howatt announced the United Water Company presentation will be rescheduled to sometime in January.

Julie Donoghue held a discussion regarding the practice of law before the Public Service Commission which included two issues: 1.) Whether a non-attorney employee of a state agency may appear before the Commission and represent the state agency. 2.) Whether a non-attorney individual may appear before the Commission and represent an unincorporated association or corporation. Commissioner Clark suggested we place this discussion on the next agenda to follow-up.

A verbatim transcript was made of the proceeding.

Robert Howatt recognized Toni Loper for coordinating the PSC's fund raising efforts for the 2013 State Employee Charitable Campaign.

Janis Dillard provided an update on the DelaFile Phase I implementation which includes: user registration, public comments, website, search engine, payment, and user training.

Robert Howatt announced that there will be an Evidentiary Hearing on Docket No. 13-115 on November 13, 14, and 18, 2013. On November 19, there will be a workshop on Docket No. 13-250. On November 21 there will be a Commission meeting and Evidentiary Hearing on Docket No. 13-348 and public comment session on Docket No. 13-364 that evening.

Commissioner Winslow asked that Ms. Donoghue's discussion regarding the practice of law before the Public Service Commission be placed on the agenda for latter part of February.

There was no further business and the meeting adjourned at approximately 2:35 p.m.

Respectfully submitted,

Secretary